



# State of Utah

DEPARTMENT OF COMMERCE  
Committee of Consumer Services

Minutes of the Meeting of the Committee of Consumer Services held  
in the Heber M Wells Building, Salt Lake City, on 10 January 2005.

Dee Jay Hammon called the meeting to order at 11:07am in Room 4A, Heber M. Wells Building.

## Members of the Committee in Attendance:

Franz Amussen  
Dee Jay Hammon

Kent Bateman  
Betsy Wolf

Kelly Casaday

## Staff in Attendance:

Roger Ball  
Chris Keyser  
Paul Proctor  
Nancy Kelly

Kelly Francone  
Cheryl Murray  
Oliwia Smith

Dan Gimble  
Eric Orton  
Reed Warnick

## Members of the Public in Attendance:

Russell Skousen  
Kevin Hale

Jason Perry  
Gary Robinson

Steven Oberbeck  
Nancy Gibbs

## 1. Administrative Matters

### 1.1 Welcome and Apologies for Absence

Dee Jay Hammon welcomed all those present and apologized for the late start due to a meeting with Representative Beverly Evans. Dee Jay announced that Betsy Wolf, Kelly Francone and Paul Proctor were in legislative meetings and would arrive later. Ryan Atkinson would also arrive later.

### 1.2 Dates and Locations of Next Meetings

Tuesdays, 15 March and 26 April 2005 were scheduled for the next meetings of the Committee, at 9:30 a.m. to 2:30 p.m. in Room 4A of the Heber M Wells building.

## 2. Telecom

### 2.1 Comcast Serving Area

Oliwia Smith said that results of the upcoming Legislative Session may have an impact on the Committee's concerns over Comcast's serving area. If

Legislation does not solve the problem then the Public Service Commission will schedule a hearing.

2.2 Uintah Basin Telecom Association (UBTA)/UBET Merger

Oliwia reported that the Commission had approved the UBTA/UBET merger on 27 December 2004. Brent Hansen filed for reconsideration of that Order citing failure to protect the public interest and inform the public. The Committee will support the merger and the stipulation it signed in this docket.

2.3 Qwest v Public Service Commission of Utah

Oliwia said that Qwest had filed a petition with the District Court arguing that the Commission does not have authority to approve or deny a contract between it and another party. Qwest had asked the Court to define the Incumbent Local Exchange Carrier (ILEC's) requirements.

3 Gas

3.1 December 2004 Pass-Through

Eric Orton explained that Questar had submitted a pass-through filing in December. Changes in the pass-through account costs were small, so no change in rates was requested.

3.2 Presentation to Federal Energy Regulatory Commission (FERC) on Gas Interchangeability by the National Gas Council Task Force

Eric reported that the National Gas Council Task Force on Gas Interchangeability had made a presentation on its findings to FERC.

4 Electricity

4.1 Multi-State Process – Commission Order

Nancy Kelly reported that the Commission had issued an order approving the Revised Protocol. She noted that in the Order the Commission was supportive of the Committee's positions expressed at the hearing.

Franz Amussen moved that the Committee express its appreciation to Nancy for her work on MSP. Kent Bateman seconded the motion and it was approved unanimously.

4.2 PacifiCorp's Integrated Resource Plan (IRP)

Nancy said that PacifiCorp had issued a draft IRP on 9 November. The Committee had provided comments indicating, among other things, that it did not feel the Company had done a balanced analysis of gas/coal-fired generation. The Company plans to file its final report at the end of the month.

#### 4.3 GridWest

Nancy provided an update on Regional Transitional Organization (RTO) West, which has been renamed GridWest. The question of FERC versus state jurisdiction remains.

#### 4.4 PacifiCorp's Fiscal Year 2006 Test Year Rate Case

Dan Gimble reported that the Committee had filed its cost of service testimony on 7 January 2005. The Committee recommended an equal spread with exceptions for a few customer classes.

Kent Bateman moved that the Committee approve the expenditure of up to \$50,000 to amend contracts associated with the rate case, subject to review at a subsequent meeting. Betsy seconded the motion and it passed unanimously.

#### 4.5 Demand-Side Management (DSM) – Energy Star Home Tariff Schedule

Cheryl Murray reported that PacifiCorp had filed a new DSM Tariff to encourage the construction of more energy-efficient homes in the residential sector. The Program is designed to reduce both energy consumption and peak demand.

#### 4.6 Home Energy Lifeline Program (HELP)

Kelly Francone said that Quantec had provided a report on its analyses of the Home Energy Lifeline Program. The report indicates that the Commission needs to determine the goal of the Program. The next step will be to submit questions to Quantec regarding the report.

### 5 Legislative Matters

#### 5.1 Senate Bill 26 – Public Utilities Amendments

Kelly reported that stakeholders had recommended language changes, some of which had been adopted. The voluntary section of the Bill is still vague. Parties continue to work toward an acceptable solution.

#### 5.2 Senate Bill 35 – Pricing & Competition by Telecommunications Corporations

Oliwia Smith said that a meeting had been scheduled with Qwest representatives and a further meeting scheduled with Senator Valentine's intern to discuss concerns and possible modifications to the Bill.

### 6 Closed Meeting – To Discuss Pending or Reasonably Imminent Litigation

Kent Bateman proposed that the Committee go into executive session to discuss pending or reasonably imminent litigation. Franz Amussen seconded the motion and it passed unanimously.

Kelly Casaday proposed that the Committee return to open session. Kent Bateman seconded the proposal, which passed unanimously.

7      Motions on Matters Discussed in Closed Meeting

        The Committee took no action on matters discussed in closed meeting.

8      The Committee: Its Function and its Future

        There was no discussion on this topic.

9      Other Business

        Roger Ball stated that meetings had been scheduled with various legislators and requested that, if available, Committee members attend those meetings.

        Roger said that Chris Keyser would begin disseminating news articles to Committee members via email.

        Roger discussed the Governor's concern that state agencies not contradict other state agencies.

        Franz Amussen proposed that the meeting adjourn. The meeting ended at 3:45 p.m.